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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/913,218    09/08/97    SATO

F    171-583P

EXAMINER

HM12/0329

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SHAVER, P

ART UNIT

PAPER NUMBER

1621

DATE MAILED:

03/29/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**08/913,218**

Applicant(s)  
**Sato**

Examiner  
**Paul F. Shaver**

Group Art Unit  
**1621**



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-24 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 8-10, 17, and 21-24 is/are allowed.

☒ Claim(s) 1-7, 11-16, and 18-20 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. Claims 1,2,5-7,11-16, and 18-20 are rejected under 35 U.S.C. 102(b)<sup>1</sup> as being clearly anticipated by Mukaiyama or Corey et al.

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1

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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***Claim Rejections - 35 USC § 112***

2. Claims 1 to 4 are rejected under 35 U.S.C. 112, second paragraph<sup>2</sup>, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The composition claimed does not appear to be a catalyst because a catalyst should be the same composition beginning and ending the reaction. This does not appear to be the case with the instant composition.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul F. Shaver whose telephone number is (703) 308-4629. The Examiner's normal tour of duty is Monday to Friday, 6:30 AM to 3:00 PM. Any inquiry of a general nature or relating to the status of this application

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1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

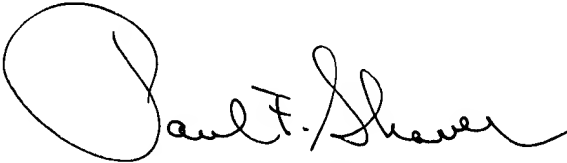
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should be directed to the Group receptionist whose telephone number is (703) 308-1235. The Examiner's supervisor, Gary Geist, may be reached at (703) 308-1701.

A facsimile center has been established in Group 1600, Room 3C10. The hours of operation are Monday through Friday, 8:45 AM to 4:45 PM. The telecopier number for accessing the facsimile machine is (703) 308-4556.

A handwritten signature in black ink, appearing to read "Paul F. Shaver". The signature is fluid and cursive, with a large, looped initial "P".

**Paul F. Shaver**  
**Primary Examiner**  
**Group 1600-Art Unit 1621**

PFSHaver  
March 26, 1999